

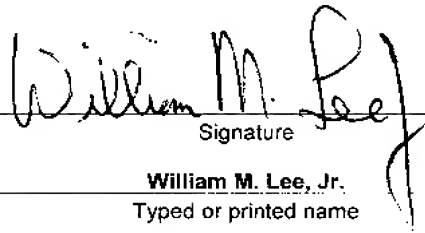
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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 41319-94734	
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		First Named Inventor Liam Mannion	
		Art Unit 2617	Examiner My Xuan Nguyen
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.			
This request is being filed with a notice of appeal.			
The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.			
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number _____ <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____		 Signature William M. Lee, Jr. Typed or printed name 312-214-4800 Telephone number July 21, 2008 Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of : Mannion, Liam
Serial No. : 10/650,227
Filed : August 28, 2003
For : Improved Load Balancing in a Network of
Call Centers
Examiner : Nguyen, My Xuan
Art Unit : 2617
Customer number : 23644

**SUCCINCT STATEMENT IN SUPPORT OF
PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Honorable Director of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As required under the pilot program initiated July 12, 2005, following is the applicants' Statement in Support of the Appeal Brief Conference for this application.

The Examiner has maintained his view that pending claims 1 to 4, 6 to 8 and 10 to 15 are unpatentable under 35 U.S.C. 103(a) over Miloslavsky (US5915012) in view of Goecke (US6175564).

The present invention as claimed is quite distinct from this combination for the following reasons.

The present invention on receiving a contact at one of the network of contact centers sends a reservation request to each contact center in the network including itself.

The source contact center then receives from one or more (not necessarily all) of the contact centers (including itself) information for an agent with a specified relative intrinsic value. Note that the information provided by any responding contact center does not comprise data providing the statuses of all agents at such contact center, but merely information for an agent at that contact center with a specified relative intrinsic value. The information is therefore very specific being responsive to the reservation request requesting that the other contact centers, in effect, identify a 'best available agent' at each said contact center. As such, it is implicit that the present invention uses real time information in contrast to the historical agent status data stored in the local stat servers of the Miloslavsky and Goecke combination, and is small in bandwidth since it identifies a value of the specified intrinsic and an agent ID in contrast to the large volumes of agent status data that must be provided periodically to the local stat servers of the proposed combination. Furthermore, there is no duplication of data in the present case since each contact center that responds to the reservation request inherently processes the reservation request in respect of only its own agents and not those of other contact centers. In the combination of Miloslavsky and Goecke, the local stat servers must each know the statuses of all agents in other contact centers and must then process this large amount of data to identify a best available agent in one of said many contact centers. The suggested combination is therefore very inefficient in network usage through requiring large amounts of data to be sent periodically to each local stat server and inefficient in time taken to identify a best available agent because, for each received contact, a local stat server must process all of said stored data comprising the statuses of all agents of the network of contact centers. Furthermore, the data used to identify a 'best available agent' is always, by its very nature (i.e. historical), out of date. The only way to reduce the 'out of datedness' of the agent status data for all contact centers periodically communicated to each of the local stat servers would be to decrease the period between updates, but this would greatly increase the burden on the systems communication links. One of ordinary skill in the art would not seriously contemplate attempting to provide each local stat server with real time status information of the status of all contact center agents upon receipt of a new contact for the very obvious

reason that the delay caused by providing such a quantity of real time information for each new contact would bring the system to a standstill. Thus, this demonstrates one significant difference of the claimed invention over the combination of Miloslavsky and Goecke in that, in the claimed invention, a contact center returns low bandwidth, real time comprising information for an agent with a specified relative intrinsic value in response to a *reservation request* initiated by receipt of a new contact at one (a source) of the contact centers and not the statuses of all agents at that contact center. It simply cannot be contended that the combination of Miloslavsky and Goecke teaches or suggests anything other than periodically communicating to each local stat server the statuses of all agents from all of the contact centers in order to enable a local contact center to identify a best available agent.

The combination of Miloslavsky and Goecke does not teach the use of low bandwidth, real time information in identifying a best available agent, which is at least implicit to the claim language and therefore does not represent a submission based on features not contained in the claims. One skilled in the claim will know inherently from the claim language that the feature of information for an agent with a specified relative intrinsic value comprises real time information which is low in bandwidth (comparatively speaking). The combination of Miloslavsky and Goecke requires large amounts of data to be communicated and duplicated to each local stat server and requires significant processing capability at each local stat server/routing server to process all agent status data to identify a best available agent.

In respect of the advisory action, even if Applicants concede the Examiner's view that the present case does not inherently disclose low bandwidth, real time response data to the reservation requests, which Applicants do not, it is still possible to read Applicants' response and see why what Applicants claim cannot be rendered obvious by the combination of Miloslavsky and Goecke. This combination of prior art references teaches periodically updating each local stat server with agent statuses from all contact centers. Applicants claim providing from one or more of the contact

centers in response to a reservation request sent to each contact center information for an agent (at the respective contact center) with a specified relative intrinsic value. Even if one accepts the Examiner's view that the information provided by the one or more contact centers in response to the reservation request is not low bandwidth or real time, the prior art combination still does not teach sending a reservation request to each contact center upon receiving a contact or having the one or more of the contact centers respond to the reservation request with information on an agent. Note the singular of 'an agent'. Thus, setting aside the issue of 'low bandwidth, real time', the comparison between what is claimed and what the combination of prior art references teaches is stark. The prior art combination requires the periodic sending of large volumes of data to local stat servers. Applicants' system avoids this by sending information about a single agent from one or more of the contact centers. Even if every contact center responds to the reservation request, this amounts to one, relatively speaking, small piece of information on an agent from each contact center, not data concerning every agent at all contact centers as required by the applied combination of prior art references. This is clearly a significant difference not taught or suggested by the prior art combination.

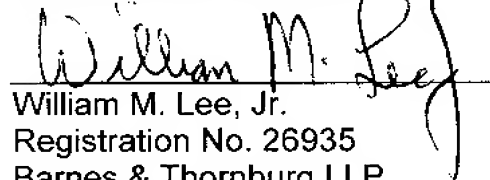
Also, in the prior art combination, the data periodically sent to the local stat servers is historical because it is gathered and sent periodically. The only instant it may not be considered as being historical is when a contact is being processed at precisely the same time as the local stat servers are being updated with all agent statuses from all contact centers. In Applicants' case, even though the specified intrinsic may comprise data relating to nodal longest idle agent, the data in the response to the reservation request is not historical because the measurement of 'longest' is relative to the time of receipt and processing of the reservation request at a contact center, i.e. the information is indeed 'real-time' relative to the reservation request rather than retrieved from a store of data that was provided to a server some time ago as in the prior art. Furthermore, the responses to the reservation request are low bandwidth because they comprise information about an agent at a contact center and not

information about all agents at all contact centers as taught by the prior art combination.

It is therefore submitted that the Examiner's rejections of the claims of this application are untenable as has been consistently argued by the applicants, and were this application to proceed to the Board of Appeals and Interferences, the Examiner would clearly be reversed. The results of this review are therefore awaited.

July 21, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line.

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